

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 17, 2010**

C-1 Call to Order / Roll Call - N/A

C-2 Announcement of Closed Session - N/A

C-3 Adjourn to Closed Session - N/A

C-4 Return to Open Session / Disclosure of Action - N/A

A. Call to Order / Roll call

The Regular City Council meeting of March 17, 2010, was called to order by Mayor Katzakian at 7:00 p.m.

Present: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Absent: None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. Pledge of Allegiance

C. Presentations

C-1 Awards - None

C-2 Proclamations

a) Arbor Day (PR)

Mayor Katzakian presented a proclamation to Steve Dutra, Park Superintendent, proclaiming April 9, 2010, as "Arbor Day" in the City of Lodi.

C-3 Presentations

a) Presentation by the Greater Lodi Area Youth Commission (COM)

Lodi Youth Commissioner, Emily McConahey, made a presentation to the Salvation Army and Lodi House regarding the Youth Commission Gives Back Valentines Dance.

D. Consent Calendar (Reading; Comments by the Public; Council Action)

Council Member Mounce made a motion, second by Council Member Hansen, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

D-1 Receive Register of Claims in the Amount of \$1,876,303.99 (FIN)

Claims were approved in the amount of \$1,876,303.99.

D-2 Approve Minutes (CLK)

The minutes of February 17, 2010 (Regular Meeting), March 2, 2010 (Shirtsleeve Session), March 3, 2010 (Regular Meeting), and March 9, 2010 (Shirtsleeve Session) were approved as written.

D-3 Approve Specifications and Authorize Advertisement for Bids for 60,000 Feet of #1/0 AWG, 15kV, EPR-Insulated, Jacketed Concentric Neutral Underground Cable (EUD)

Approved the specifications and authorized advertisement for bids for 60,000 feet of #1/0 AWG, 15kV, EPR-insulated, jacketed concentric neutral underground cable.

D-4 Adopt Resolution Awarding Contract for DeBenedetti Park - Phase I Improvements, 2350 South Lower Sacramento Road, to Hemington Landscape Services, Inc., of Cameron Park (\$883,562) (PW)

Adopted Resolution No. 2010-25 awarding contract for DeBenedetti Park - Phase I Improvements, 2350 South Lower Sacramento Road, to Hemington Landscape Services, Inc., of Cameron Park, in the amount of \$883,562.

D-5 Adopt Resolution Authorizing the City Manager to Execute Professional Services Agreement with Mark Thomas & Company, of Sacramento, for Preparation of the Harney Lane/Union Pacific Railroad Grade Separation Feasibility Study Report (\$49,184) and Appropriating Funds (\$58,000) (PW)

Adopted Resolution No. 2010-26 authorizing the City Manager to execute Professional Services Agreement with Mark Thomas & Company, of Sacramento, for preparation of the Harney Lane/Union Pacific Railroad Grade Separation Feasibility Study Report in the amount of \$49,184 and appropriating funds in the amount of \$58,000.

D-6 Adopt Resolution Authorizing the City Manager to Execute the Amendment Terminating Reimbursement Agreement Effective July 1, 2010, with North San Joaquin Water Conservation District for City Administrative Services Provided to the District (PW)

Adopted Resolution No. 2010-27 authorizing the City Manager to execute the amendment terminating Reimbursement Agreement effective July 1, 2010, with North San Joaquin Water Conservation District for City administrative services provided to the District.

D-7 Adopt Resolution Authorizing the City Manager to Enter into a Letter of Agreement Between the City of Lodi and Ralcorp/Cottage Bakery for the Sale of Designated Electric Distribution Facilities (\$166,234) (EUD)

This item was pulled from the agenda and not discussed.

D-8 Adopt Resolution Approving Contract with Pyro Spectaculars, Inc. for 2010 Fourth of July Fireworks Show (\$16,000) (PR)

Adopted Resolution No. 2010-28 approving contract with Pyro Spectaculars, Inc. for 2010 Fourth

of July fireworks show in the amount of \$16,000.

- D-9 Adopt Resolution Authorizing the City Manager to File Claim for 2009/10 Transportation Development Act Funds in the Amount of \$1,930,253 from Local Transportation Fund and \$1,500 from State Transit Assistance Fund (PW)

This item was pulled from the agenda and not discussed.

- D-10 Approve Summer Transit Pass Program and Authorize Transportation Manager to Annually Adjust Time Period (PW)

Approved the Summer Transit Pass Program and authorized the Transportation Manager to annually adjust time period.

- D-11 Adopt Resolution Authorizing Destruction of Certain Citywide Records in Accordance with the Government Code and the City's Records Management Policy (CLK)

Adopted Resolution No. 2010-29 authorizing destruction of certain Citywide records in accordance with the Government Code and the City's Records Management Policy.

- D-12 Adopt Resolution Revising the Order of Business for City Council Meetings (CLK)

Adopted Resolution No. 2010-30 revising the order of business for City Council meetings.

- D-13 Adopt Resolution Opposing AB X8 6/SB X8 6, Fuel Tax Swap (CM)

Adopted Resolution No. 2010-31 opposing AB X8 6/SB X8 6, Fuel Tax Swap.

- D-14 Set Public Hearing for April 7, 2010, to Consider the Adoption of the General Plan (CD)

Set public hearing for April 7, 2010, to consider the adoption of the General Plan.

- D-15 Set Public Hearing for May 5, 2010, to Consider the Appeal of Brandt-Hawley Law Group on Behalf of Charles and Melissa Katzakian Regarding the Decision of the Planning Commission to Approve a Use Permit and SPARC Review for Costco Wholesale Development (CD)

Set public hearing for May 5, 2010, to consider the appeal of Brandt-Hawley Law Group on behalf of Charles and Melissa Katzakian regarding the decision of the Planning Commission to approve a Use Permit and SPARC review for Costco Wholesale Development.

- E. Comments by the Public on Non-Agenda Items
THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES. The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted. Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

Joyce Costa, a grant recipient from the Lodi Arts Commission, spoke in support of the scholarships and grant funds received from the City through the Arts Commission.

James Moore spoke in regard to the "Shop Sunday" campaign for the Downtown Lodi Business Partnership and his senior project relating to the surveying of downtown businesses and their efforts to keep the businesses open on Sunday. In response to Council Member Hansen, Mr. Moore stated Jaime Watts and the Board of Directors encouraged him to do this project as his senior project and he thought it was a good idea. Mr. Hansen commended Mr. Moore on his efforts.

Christopher Vigil spoke in support of a Google program that will allow the Internet to be provided to communities approximately one hundred times faster than it is currently provided and he urged the City to apply for the program.

Robin Rushing spoke in favor of increasing transportation-related services and raising the rates slightly if it is necessary. He expressed his opposition to Sunday service based on low ridership numbers and encouraged allowing patients to keep their medical marijuana.

F. Comments by the City Council Members on Non-Agenda Items

Council Member Hansen reported on his attendance at the Annual Salvation Army Dinner and commended the organization on the success of the event. Council Member Hansen requested ridership statistics and cost analysis for Sunday transit service.

Mayor Pro Tempore Hitchcock reported on her attendance at the Scientific Specialties, Inc. anniversary celebration and commended the business on its receipt of the "Manufacturer of the Year" award and on its success during challenging economic times.

G. Comments by the City Manager on Non-Agenda Items

City Manager King stated Google has announced an application period for the new program for communities that Mr. Vigil was referencing. Mr. King stated Google would like to roll out a program to provide faster Internet services for the community, and he believes the City is a good candidate but the program is highly competitive. Mr. King also provided a status update on the State potentially taking gas tax or other similar revenues from the cities and described the various City funding sources that may be at risk.

H. Public Hearings

H-1 Public Hearing to Approve the Draft 2010/11 Action Plan and the Reallocation of Available Funding for the Community Development Block Grant Program (CD)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Katzakian called for the public hearing to consider approving the Draft 2010/11 Action Plan and the reallocation of available funding for the Community Development Block Grant (CDBG) Program.

City Manager King briefly introduced the subject matter of the 2010/11 CDBG public hearing.

Neighborhood Services Manager Joseph Wood provided a PowerPoint presentation regarding the 2010/11 CDBG public hearing. Specific topics of discussion included the estimated \$751,211 allocation, receipt of 17 applications, factors considered during review, funding availability, public service cap, total request of \$307,086, community based projects of \$229,331, City projects and services with supplemental funding, reallocation of 2009/10 public service funding, reallocation for water meter installation program, public hearing and action plan document process, and recommended action to adopt the relevant resolution approving the plan and reallocating the funds from the previous year.

In response to Council Member Mounce, Mr. Wood stated that, with respect to the blue sheet regarding the Salvation Army, an application was not received, discussions were had regarding the subject matter, and the City can coordinate for funding next year.

In response to Council Member Hansen, Mr. Wood stated the administrative costs include personnel, the administrative process, application review, coordination with other agencies, and outreach efforts.

In response to Mayor Pro Tempore Hitchcock, Mr. Wood stated historically unused funds have been reallocated to another project to ensure that the funds are used in a timely manner and staff can bring back unallocated program funds to Council in the future.

In response to Council Member Johnson, Mr. Wood stated the \$150,000 administration cost includes personnel, the filing process, working with applicants, and coordination with contractors and agencies. Mr. Wood stated the scoring process is reflective of applicant past practices with managing and using the funds in a timely manner.

In response to Council Member Johnson, Mr. Wood stated all contractors and subcontractors are pulled off a list because the City must use federally approved contractors.

In response to Council Member Hansen, Mr. Wood stated program administration is for both community based and City projects and if the programs are not properly administered funding could be removed.

In response to Council Member Hansen, Mr. Wood stated \$10,000 for the Second Harvest Food Bank will be available on July 1 and is attributed to the 2010 allocation.

In response to Council Member Hansen, Mr. Wood stated it is his understanding that the Emergency Food Bank allocation for \$34,500 wraps up that project.

In response to Council Member Hansen, Mr. Wood stated the heating, ventilation, and air conditioning is not tied to the LOEL Center. Mr. Wood stated the 719 South Washington Street property is operated by Fair Housing as public housing and it also has a duplex on Central Street.

Mayor Katzakian opened the public hearing to receive public comment.

Doug Chaney spoke in opposition to the spay and neuter allocation in light of other community problems, supported the Unity organization request for job creation and business start-ups, and questioned the need for a \$91,000 allocation to the graffiti abatement program.

Lt. Dan Williams, representing the Salvation Army, spoke in support of retaining the unused \$130,000 as an unallocated amount for future projects, which could include the Salvation Army Phase III project to construct a shelter for single parents with children of a specific age group that are not permitted to stay in the current facility.

Cesar Serta spoke in opposition to allocating funds for spay and neuter and graffiti programs and urged the Council to support the Salvation Army serving the needs of people or other causes that are tied into job creation.

Mayor Katzakian closed the public hearing after receiving no further public comment.

In response to Council Member Hansen, Mr. Wood confirmed that the public service cap is 15% of the total allocation and the recommended allocation to the graffiti abatement program is

\$67,000 although \$91,000 was requested.

Council Member Mounce made a motion, second by Mayor Pro Tempore Hitchcock, to adopt Resolution No. 2010-32 approving the Draft 2010/11 Action Plan for the Community Development Block Grant Program.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: Council Member Johnson

Absent: None

H-2 Public Hearing to Consider Resolution Adopting Federal Fiscal Year 2010 Program of Transit Projects (PW)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Katzakian called for the public hearing to consider resolution adopting Federal Fiscal Year 2010 Program of Transit Projects.

City Manager King briefly introduced the subject matter of the 2010 program of transit projects.

Public Works Director Wally Sandelin provided a brief PowerPoint presentation regarding the fiscal year 2010 program of transit projects and related public hearing. Specific topics of discussion included funding expenditures on automated fare boxes, facility upgrades, preventative maintenance, operations, security systems, and bus shelters.

In response to Council Member Hansen, Mr. Sandelin stated the facility upgrades include parking lot improvements at the yard, which are funded by various sources.

In response to Council Member Hansen, Mr. Sandelin stated there will be future funds received of approximately \$1 million for bus replacement that are separate from the funding that is being discussed tonight.

In response to Council Member Hansen, Mr. Sandelin stated the future funds will be used to replace the larger buses with the smaller buses.

In response to Council Member Hansen, Mr. Sandelin stated the buses do have to meet certain federal requirements for mileage and age before they can be replaced.

In response to Mayor Katzakian, Mr. Sandelin stated the fare recovery equipment can be taken out of the older buses during replacement and put into the newer buses.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin stated \$100,000 will not complete the entire bus shelter project as it will be an ongoing program and funding will be received in future years. Council Member Hitchcock requested information regarding how many bus shelters the \$100,000 will fund and how many will be left to fund in the full bus shelter program.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin stated the funds need to be obligated and expended quickly and the fare box project, which could be a revenue source, can be completed in the quick time frame.

In response to Council Member Johnson, Mr. Sandelin stated the Municipal Service Center is in need of additional fencing and security cameras because people have been climbing over the

existing fence and throwing rocks over the fence hitting parked vehicles.

In response to Council Member Hansen, Mr. Sandelin stated the bus replacement is several years out as previously suggested in the short range transit plan presentation.

Mayor Katzakian opened the public hearing to receive public comment.

Robin Rushing spoke in opposition to the costs associated with the automated fare recovery boxes.

Mayor Katzakian closed the public hearing after receiving no further public comment.

In response to Council Member Mounce, Mr. Sandelin stated the proposed allocation will complete the automated fare box project in its entirety.

In response to Council Member Hansen, Mr. Sandelin confirmed that the proposed allocation for the completion of the fare box recovery program is \$541,000.

In response to Council Member Johnson, Mr. Sandelin stated all buses will have the automated boxes so that the drivers do not have to handle cash.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin confirmed that, if the federal program allotted more time to expend the funds, the list of projects to complete may look different as there would be more time to acquire right-of-ways and negotiate.

Council Member Mounce made a motion, second by Council Member Johnson, to adopt Resolution No. 2010-33 adopting Federal Fiscal Year 2010 Program of Transit Projects.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

H-3 Public Hearing to Consider Resolution Approving Contractual Consumer Price Index-Based Annual Adjustment to Rates for Solid Waste Collection (PW)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Katzakian called for the public hearing to consider resolution approving contractual Consumer Price Index (CPI)-based annual adjustment to rates for solid waste collection.

City Manager King provided a brief introduction to the subject matter of the annual adjustment for the solid waste collection contract.

Public Works Director Wally Sandelin provided an overview of the contractual CPI-based annual adjustment to rates for solid waste collection. Specific topics of discussion included contractual terms, CPI rate adjustment factor, County gate fees, and examples of rate changes.

Mayor Katzakian opened the public hearing to receive public comment.

Daniel Gonzales spoke in opposition to the proposed CPI rate increase for solid waste based on his concerns of affordability.

Alex Aliferis spoke in opposition to the proposed CPI rate increase for solid waste based on his concerns of affordability.

Mayor Katzakian closed the public hearing after receiving no further public comment.

Council Member Mounce made a motion, second by Mayor Pro Tempore Hitchcock, to adopt Resolution No. 2010-34 approving contractual Consumer Price Index-based annual adjustment to rates for solid waste collection.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

I. Communications

I-1 Claims Filed Against the City of Lodi - None

I-2 Appointments

a) Appointments to Lodi Animal Advisory Commission: Dan Phillips; and Lodi Improvement Committee: Sunil Yadav (CLK)

Council Member Mounce made a motion, second by Council Member Johnson, to make the following appointments:

Lodi Animal Advisory Commission

Dan Phillips, Term to expire December 31, 2012

Lodi Improvement Committee

Sunil Yadav, Term to expire March 1, 2013

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

b) Post for Two Vacancies on the Lodi Arts Commission (CLK)

Council Member Mounce made a motion, second by Council Member Johnson, to direct the City Clerk to post for the following vacancies:

Lodi Arts Commission

Kathi Medford, Term to expire July 1, 2011

Margaret Talbot, Term to expire July 1, 2011

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor

Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

I-3 Miscellaneous - None

J. Regular Calendar

J-1 Receive Report Concerning Downtown Directional Sign Program and Provide Direction and Action as Appropriate (CM)

City Manager King provided a PowerPoint presentation regarding the downtown directional sign program. Topics of discussion included the October 2009 downtown summit, commitment to Lodi with funding and efforts to bring visitors to downtown, design, placement, construction, maintenance, common economic development tool, and potential future action.

Assistant City Manager Bill Cahill, from the City of Merced, spoke of the directional sign program created and implemented by the City of Merced. Specific topics of discussion included the \$132,000 cost, placement of 75 signs throughout the city, establishment of new identity for City, process and selection associated with services for design and construction, tasks associated with program implementation, and lessons learned from the project.

In response to Council Member Mounce, Mr. Cahill stated the funding source for the directional sign program in Merced was \$100,000 from the redevelopment project area, \$50,000 from the economic development program, and the remainder came from the General Fund.

In response to Council Member Johnson, Mr. Cahill stated the logo provided by the consultant was good upon the first submission, while the design took approximately three times. Mr. Cahill stated the biggest problem was the sign installation completed by Public Works versus an outside contractor, which slowed the process down by two months. He stated fabrication was completed by an outside contractor under the normal bid process and the City has received requests to add more signs, which will be incorporated with replacement for the current signs.

In response to Council Member Hansen, Mr. Cahill stated staff and the Committee collectively reviewed which destinations to include in the program and worked with consultants who also had a ton of experience of what destinations are typically included in these programs. Mr. Cahill stated once the destinations were known, routes were drawn from Highway 99 to the destinations and signs were placed along the way so that any potential wrong turn had a sign. He stated there were no law enforcement concerns and the overall response to the program was positive.

In response to Mayor Katzakian, Mr. Cahill stated the proposals were distributed to everyone in California in this line of business, as well as local sign and design businesses.

In response to Mayor Pro Tempore Hitchcock, Mr. Cahill stated the consultant was free to make recommendations on the program and the City does not have a policy for future sign requests at this time.

In response to Mayor Pro Tempore Hitchcock, Mr. King stated the City could go with Graphic Solutions, which has an excellent reputation based on his prior experience with the company as well as others in the industry.

Council Member Johnson suggested staff look into using public benefit funds for the program since it is an economic development tool.

The City Council provided general consensus with respect to supporting a directional sign program and having staff look into funding options for the same.

J-2 Approve Water Meter Cost, Extended Payment, and Payment Deferral Plan (PW)

City Manager King briefly introduced the subject matter of the water meter installation program cost and payment plan.

Public Works Director Wally Sandelin provided a PowerPoint presentation regarding the water meter cost and payment plan. Specific topics of discussion included background, recommendation, meter set components, installation class, seven-year payment plan, payment assistance, program cash flow, and cost comparisons for three- and five-year construction programs with and without caps.

In response to Council Member Mounce, Mr. Sandelin stated the contractor will cut up a little square with a directional bore underground so as to avoid conflicts with other objects including landscaping.

In response to City Attorney Schwabauer, Mr. Sandelin confirmed that the class of owners assigned the \$300 fee have already paid for their water meters.

In response to Council Member Mounce, Mr. Sandelin stated everyone should know what class they are in by April 2011.

In response to Council Member Hansen, Mr. Sandelin confirmed that a property owner can pay off the entire cost of the meter at any time without a penalty, although there will be no refunds for partial payments.

In response to Mayor Pro Tempore Katzakian, Mr. Sandelin stated the interest rate is 1.5% and will not change.

In response to Council Member Hansen, Mr. Sandelin stated all property owners will have formal notice by April 2011, staff will do as many inspections as possible by September 2010, and if an application is received that property will also be inspected. Mr. King stated notice will go out to everybody, which will be backed up by public outreach efforts and will provide the necessary figures to estimate how many property owners may need assistance with the payments.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin stated the \$1.5 million is based upon Census information and enrollment in the Electric Utility assistance program. He stated this information identifies the potential qualifying property owners in the city for low- and very-low income for all three phases. Mr. Sandelin and Mr. King also discussed the options associated with Community Development Block Grant (CDBG) funding throughout the years, the working assumption to try and cover 100% of extremely low- and very-low income while proportionately granting what remains thereafter, and the assumption that all CDBG eligible owners will fall into the \$1,200 category.

Mayor Katzakian opened the public hearing to receive public comment.

Pete Christy spoke in opposition to the acceleration of the program based on the challenges of the bad economy.

Daniel Gonzalez spoke in opposition to the proposed water meter installations based on poor timing and the economy.

Christopher Vigil spoke in opposition to the proposed water meter installations based on his concern about unanswered questions submitted as a separate document for the record.

Frank Taormina spoke in opposition of the water meter installations based on challenging unfunded mandates and poor timing with the economy.

Matt Silva spoke in regard to his concerns about the cost of water meters, replacement of the main from the backyard to the front yard, and the ability to do the self-install or hire a contractor.

Robin Rushing spoke in opposition to the proposed water meter installations based on his concern that the cost will be passed down to tenants.

Alex Aliferis spoke in favor of delaying and postponing the water meter installations in light of the economy.

Roy Bids spoke in favor of delaying the water meter program for a few years and installing the meters next to the house in a similar manner to the electric meters.

Mayor Katzakian closed the public hearing after receiving no further public comments.

City Manager King discussed the property owner options to pay, Public Works assessment of each property, the lien process for defaults, the meter asset being a part of the property, comparison rates previously provided, commercial and industrial properties already on the metered system, and the challenges with the State Mandates Commission and unreimbursed mandates.

In response to Council Member Hansen, Mr. Sandelin stated after 1992 homes were charged and already paid the cost for water meters and the current charge for new homes is approximately \$3,000.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin stated he has full faith in Tom Dugan and the consulting firm that is working on the water meters.

Council Member Hansen made a motion, second by Council Member Johnson, to approve water meter cost, extended payment, and payment deferral plan.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: Council Member Mounce

Absent: None

J-3 Select Gateway Design Feature for Lodi Avenue and Cherokee Lane and Adopt Resolution Authorizing the City Manager to Execute a Contract Change Order with Granite Construction Company, of Watsonville, for Work Related to Project Scope Expansion for Lodi Avenue Reconstruction Project and Appropriating \$675,000 (PW)

City Manager King provided a brief introduction to the subject matter of the Lodi Avenue Reconstruction Project.

Public Works Director Wally Sandelin provided a PowerPoint presentation regarding the Lodi Avenue Reconstruction Project. Specific topics of discussion included Alternative 1 recommendation and design, entry monument options, Alternative 2 design, and Measure K and

Proposition 42 grant expenditures.

In response to Council Member Hansen, Mr. Sandelin reviewed the placement of the street light fixtures for both alternatives.

In response to Council Member Hansen, Mr. Sandelin stated Public Works prefers Alternative 1 because of truck turning concerns with Alternative 2, which is two lanes in each direction but there is no parking as in Alternative 1.

In response to Council Member Hansen, Mr. Sandelin stated the project starts on the west side of Cherokee Lane and Lodi Avenue with the new driveway for Orchard Supply and the gateway is on the east side.

In response to Mayor Katzakian, Mr. Sandelin stated there will be landscaping all the way up to and along the Orchard Supply driveway.

In response to Council Member Mounce, Mr. Sandelin stated the project will include the strip of land near Cherokee Lane that was acquired by the City.

In response to Council Member Mounce, Mr. Sandelin stated the art monument placement will be considered at a later date and the City will maintain the landscape once it goes in.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin confirmed the primary difference is the cars versus a landscaped strip, and essentially the trucks could strike both.

In response to Council Member Mounce, Mr. Sandelin stated the closest art piece is approximately a half a mile away.

In response to Council Member Hansen, Mr. Sandelin stated both alternatives are doable and the truck turning concern is based on the curb dimensions not being consistent with truck usage.

Council Member Johnson made a motion, second by Mayor Pro Tempore Hitchcock, to select gateway design feature, Alternative No. 2 with the less detailed monument, for Lodi Avenue and Cherokee Lane.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, and Mayor Pro Tempore Hitchcock

Noes: Mayor Katzakian

Absent: None

Council Member Hansen made a motion, second by Mayor Pro Tempore Hitchcock, to adopt Resolution No. 2010-35 authorizing the City Manager to execute a contract change order with Granite Construction Company, of Watsonville, for work related to project scope expansion for Lodi Avenue Reconstruction Project and appropriating \$675,000.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

- J-4 Receive Report on Response to Comments on the Draft Environmental Impact Report/Environmental Assessment for I-5 Widening from Stockton to Southerly Limits of the White Slough Water Pollution Control Facility (CD)

This item was not discussed and was continued to the next regularly scheduled City Council meeting.

- J-5 Adopt Resolution Awarding Contract for the Central Plume PCE/TCE Remedial Measures Project to Diede Construction, Inc., of Woodbridge (\$1,758,672.42), and Appropriating Funds (\$2,000,000) (PW)

City Manager King briefly introduced the subject matter of the Central Plume PCE/TCE remedial measures project.

Public Works Director Wally Sandelin provided a brief presentation regarding the proposed contract award to Diede Construction for the Central Plume PCE/TCE remedial measures project. Specific topics of discussion included the project time line, well locations, and bid results.

In response to Council Member Mounce, Mr. Schwabauer stated one of the wells will be located near the backside parking lot of what was the Lodi News Sentinel site and the particular resident who had concerns is now satisfied with the site location. Mr. Sandelin stated a sound system is also in place.

In response to Council Member Johnson, Mr. Sandelin stated it is possible that the estimate was low, although it is difficult to speculate about what goes into the bid consideration from the contractor.

In response to Council Member Hansen, Mr. Sandelin stated the facility will be up in six months, with another year for operations, and then the City will move into the ongoing operations and maintenance function.

Council Member Mounce made a motion, second by Mayor Pro Tempore Hitchcock, to adopt Resolution No. 2010-36 awarding contract for the Central Plume PCE/TCE Remedial Measures Project to Diede Construction, Inc., of Woodbridge, in the amount of \$1,758,672.42, and appropriating funds in the amount of \$2,000,000.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

K. Ordinances

- K-1 Adopt Ordinance No. 1829 Entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 15 - Buildings and Construction - by Repealing and Reenacting Chapter 15.60, "Flood Damage Prevention"; and Amending Lodi Municipal Code Title 17 - Zoning - by Repealing Chapter 17.51 in Its Entirety Relating to FP, Floodplain District" (CLK)

Council Member Johnson made a motion, second by Council Member Mounce, (following reading of the title) to waive reading of the ordinance in full and adopt and order to print Ordinance No. 1829 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal

Code Title 15 - Buildings and Construction - by Repealing and Reenacting Chapter 15.60, 'Flood Damage Prevention'; and Amending Lodi Municipal Code Title 17 - Zoning - by Repealing Chapter 17.51 in Its Entirety Relating to FP, Floodplain District," which was introduced at a regular meeting of the Lodi City Council held March 3, 2010.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

L. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 11:47 p.m.

ATTEST:

Randi Johl
City Clerk